

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-12951

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT March 29, 2007 THOMAS K. KAHN CLERK

D.C. Docket No. 05-03059 CV-TWT-1

NATIONAL VIATICAL, INC.,

Plaintiff-Appellant,

GROVER T. MITCHELL,
DORIS E. MITCHELL,

Interested Parties-
Appellants,

versus

HON. JOHN OXENDINE, individually and in his
official capacity as Insurance Commissioner of Georgia,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia

(March 29, 2007)

Before DUBINA and COX, Circuit Judges, and SCHLESINGER,* District Judge.

PER CURIAM:

The judgment of the district court is affirmed. *See Western & Southern Life Ins. Co. v. State Bd. of Equalization*, 451 U.S. 648, 653, 101 S. Ct. 2070, 2075 (1981).

AFFIRMED.¹

*Honorable Harvey E. Schlesinger, United States District Judge for the Middle District of Florida, sitting by designation.

¹The Appellee's Motion for Award of Rule 38 Sanctions is DENIED.